

Message Text

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47

ACTION EUR-12

INFO OCT-01 ISO-00 SAM-01 SSO-00 NSCE-00 USIE-00 INRE-00

CIAE-00 DODE-00 PM-04 H-02 INR-07 L-03 NSAE-00 NSC-05

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FM AMEMBASSY MADRID

TO SECSTATE WASHDC IMMEDIATE 6604

INFO AMEMBASSY LONDON

AMEMBASSY PARIS

AMEMBASSY BONN

AMEMBASSY ROME

AMEMBASSY DUBLIN

AMEMBASSY THE HAGUE

AMEMBASSY BRUSSELS

AMEMBASSY LISBON

AMEMBASSY COPENHAGEN

AMEMBASSY STOCKHOLM

AMEMBASSY OSLO

USMISSION NATO

USEC BRUSSELS

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E.O. 11652: N/A

TAGS: PINT,SP

SUBJECT: AMNESTY

REF: MADRID 5838

1. FOLLOWING JULY 30 CABINET MEETING CHAIRED BY KING IN LA CORUNA, GOVT ANNOUNCED THAT KING HAD GRANTED A WIDE-RANGING AND GENEROUS POLITICAL AMNESTY IDENTICAL TO OUR ADVANCE INFORMATION ON THE CABINET PROPOSAL REPORTED REFTEL. ESTIMATES OF THE NUMBER OF POLITICAL PRISONERS AFFECTED BY THE AMNESTY VARY, BECAUSE ITS IMPLEMENTATION IS LEFT TO THE COURTS; HOWEVER, THE CONSENSUS
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APPEARS TO BE THAT MORE THAN 400 ARE LIKELY TO BE RELEASED UNDER

ITS PROVISIONS. (QTE EL PAIS UNQTE ESTIMATES THAT SOME 500 WILL BE FREED, WITH QTE ABOUT 94 UNQTE ACCUSED TERRORISTS REMAINING UNTOUCHED BY THE DECREE.) IN RESPONSE TO A QUESTION FROM THE PRESS, JUSTICE MINISTER LAVILLA DESCRIBED THE INTENT OF THE AMNESTY AS THE DEFINITIVE TERMINATION OF THE SPANISH CIVIL WAR.

2. THE AMNESTY, IN ADDITION TO FREEING THOSE IN PRISON AS THE RESULT OF CONVICTION FOR A QTE POLITICAL CRIME OR CRIME OF OPINION, UNQTE ALSO:

- REHABILITATES PUBLIC EMPLOYEES WHO WERE DISMISSED FROM THEIR JOBS FOR POLITICAL REASONS, AND PERMITS THEM TO RETURN TO THEIR FORMER POSITIONS WITH SENIORITY AND OTHER COMPENSATIONS FOR THE PERIOD OF THEIR DISMISSAL;
- FREES THOSE CONVICTED OF QTE MILITARY SEDITION, REBELLION, OR DISREPECT. UNQTE THIS PROVISION AFFECTS THE UMD 9, INCARCERATED CONSCIENTIOUS OBJECTORS, AND REPUBLICAN OFFICERS. NEITHER THE UMD 9 NOR AGING REPUBLICAN OFFICERS WILL BE ABLE TO RETURN TO THE MILITARY, BUT PENSION RIGHTS FOR ANY MILITARY SERVICE ARE REINSTATED;
- ANNULS ALL WARRANTS FOR THE ARREST OF THOSE ACCUSED OF CRIMES WHICH NOW FALL UNDER THE AMNESTY; AND
- OPENS THE WAY FOR THE RETURN OF ALMOST ALL POLITICAL EXILES.

3. SPANISH PRESS REACTION TO THE AMNESTY HAS BEEN UNIFORMLY HIGHLY LAUDATORY, AS HAVE THOSE EXCERPTS FROM THE EUROPEAN PRESS PUBLISHED IN THIS MORNING'S MADRID NEWSPAPERS. EARLY -- AND FRAGMENTARY -- OPPOSITION REACTION ALSO IS UPBEAT:

- JOAQUIN GARRIGUES WALKER (DEMOCRATIC PARTY): THE AMNESTY CLOSES A FORTY-YEAR-LONG PARENTHESIS;
- ANTONIO GARCIA LOPEZ (SPANISH SOCIAL DEMOCRATIC PARTY): IT IS THE FIRST DRAMATIC STEP IN DISMANTLING THE DICTATORSHIP;
- ANTONIO GARCIA TREVIANO (PLATAJUNTA QTE INDEPENDENT, UNQTE WHO WAS ASSOCIATED WITH THE PCE IN THE OLD JUNTA DEMOCRATICA): A CLEAR VICTORY FOR THE DEMOCRATIC OPPOSITION;
- AND EVEN SANTIAGO CARRILLO (SPANISH COMMUNIST PARTY - PCE): A STEP TOWARD THE RECONCILIATION OF ALL SPANIARDS.

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4. THE OPPOSITION CLEARLY WILL FIND CAUSE TO CRITICIZE THE AMNESTY, PARTICULARLY BECAUSE IT DOES NOT INCLUDE A QTE LABOR AMNESTY UNQTE (THIS IS EXPLICITLY LEFT TO MANAGEMENT AND LABOR) AND BECAUSE IT LEAVES IN JAIL AT LEAST 100 PEOPLE (MANY OF THEM BASQUES) CONNECTED WITH TERRORIST ACTIVITY. MANY LEFT OPPOSITIONISTS CONTEND THOSE WERE ONLY RESPONDING TO THE FRANCO REGIME'S BRUTALITY. (ONE OMISSION WITH WHICH THEY WILL AGREE IS THAT OF QTE FISCAL CRIMES, UNQTE E.G., ILLEGAL EXPATRIATION

OF CAPITAL, WHICH REMAIN OUTSIDE THE AMNESTY.) HOWEVER, THE
DEMOCRATIC OPPOSITION ALSO KNOWS THAT THIS AMNESTY IS THE BEST
THAT COULD BE HOPED FOR UNDER CURRENT CONDITIONS, AND WILL
STATE PRIVATELY, AND AT LEAST TO SOME EXTENT PUBLICLY, THAT
THE KING AND THE SUAREZ GOVT HAVE UNQUESTIONABLY DELIVERED
ON ONE OF THE MOST IMPORTANT PROMISES CONCERNING THE DEMOCRATIZA-
TION OF SPANISH POLITICAL LIFE.
STABLER

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